

# State of South Dakota

## SEVENTY-SIXTH SESSION LEGISLATIVE ASSEMBLY, 2001

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### HOUSE ENGROSSED NO. **SB 234** - 02/28/2001

Introduced by: Senators Sutton (Dan), Brown (Arnold), Daugaard, Hutmacher, and  
McCracken and Representatives Garnos and Olson (Mel)

1 FOR AN ACT ENTITLED, An Act to provide for the development and administration of certain  
2 standardized academic achievement tests.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 13-3-55 be amended to read as follows:

5 13-3-55. Every school district shall administer the same national norm-referenced academic  
6 achievement test to all students in grades two, four, eight, and eleven. ~~In addition, and~~ every  
7 school district shall administer to all students in grades five and nine an achievement test to  
8 assess writing skills. ~~These~~ In addition, every school district shall administer the same criterion-  
9 referenced academic achievement test, once in the fall semester and once again in the spring  
10 semester, to all students in grades three, six, and ten. The criterion-referenced tests shall be  
11 designed by the state. All of the tests shall be provided by the Department of Education and  
12 Cultural Affairs and shall assess proficiency in meeting state standards. ~~These~~ The tests shall be  
13 administered starting ~~during the 1998-1999~~ in the spring of the 2001-2002 school year. Each  
14 state-designed test for each grade level to be tested shall be a single statewide criterion-  
15 referenced test, which shall be highly correlated with the state's graduation requirements, course

guidelines, and academic content standards. The requirements of this section pertaining to criterion-referenced tests to be administered to students in grades three, six, and ten do not apply to students who are receiving alternative instruction pursuant to § 13-27-3.

Section 2. That chapter 13-3 be amended by adding thereto a NEW SECTION to read as follows:

The South Dakota Academic Achievement Test Advisory Council is hereby established. The council shall advise the Department of Education and Cultural Affairs, the South Dakota Board of Education, education-related organizations, and other education groups on issues related to statewide academic achievement tests required pursuant to this Act. The council shall meet at least annually with the Department of Education and Cultural Affairs to discuss, develop, and make recommendations concerning testing issues, results, mechanics, and other relevant student achievement test issues in this state. The council shall consist of nine members appointed by the Governor from the following categories:

- (1) One teacher and one counselor who are members of the South Dakota Education Association;
- (2) One teacher and one counselor who may be, but are not required to be, members of a professional teachers or counselors association;
- (3) One school board member who is a member of the Associated School Boards of South Dakota;
- (4) One school administrator who is a member of the School Administrators of South Dakota and one school administrator who may be, but is not required to be, a member of a professional school administrators association;
- (5) One member of the South Dakota Board of Education; and
- (6) One parent who may be, but is not required to be, a member of a Parent Teacher

1           Association or similar association.

2           Members of the council shall be appointed for two-year terms, except that five of the  
3   members of the initial council shall be appointed to two-year terms, and four of the members of  
4   the initial council shall be appointed for one year. All subsequent appointments shall be for terms  
5   of two years. Any vacancy on the council that occurs before the incumbent's term has expired  
6   shall be filled by appointment to serve the remainder of the unexpired term. The number of terms  
7   that a council member may serve is not limited. The council shall receive per diem compensation  
8   and allowable expense reimbursement in an amount set pursuant to § 4-7-10.4 for all time  
9   actually spent while attending council meetings. The provisions of this section shall be  
10   implemented using funds from the normal operating budget of the Department of Education and  
11   Cultural Affairs.